

ASSEMBLY BILL

No. 314

Introduced by Assembly Member Soto

February 13, 2007

An act to amend Sections 11322.6 and 11322.8 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 314, as introduced, Soto. CalWORKs: welfare-to-work activities.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, with California's version of this program being known as the California Work Opportunity and Responsibility to Kids (CalWORKs) program. Under the CalWORKs program, each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria, including limitations on income and assets generally applicable to public assistance programs.

Under existing law, with certain exceptions, every individual, as a condition of eligibility for aid under the CalWORKs program, is required to participate in welfare-to-work activities. Under existing law, these activities in which a recipient may engage include various education and vocational training activities, as described. Certain of these activities are defined as core welfare-to-work activities, in which an adult recipient shall participate for at least 20 hours each week.

This bill would include as a welfare-to-work activity study time related to credit or noncredit hours spent in classroom, laboratory, or other educational activities, as specified. The bill would also designate this

study time as a core welfare-to-work activity if related to participation in vocational education and training.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 11322.6 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 11322.6. The welfare-to-work plan developed by the county
- 4 welfare department and the participant pursuant to this article shall
- 5 provide for welfare-to-work activities. Welfare-to-work activities
- 6 may include, but are not limited to, any of the following:
- 7 (a) Unsubsidized employment.
- 8 (b) Subsidized private sector employment.
- 9 (c) Subsidized public sector employment.
- 10 (d) Work experience, which means public or private sector work
- 11 that shall help provide basic job skills, enhance existing job skills
- 12 in a position related to the participant's experience, or provide a
- 13 needed community service that will lead to employment. Unpaid
- 14 work experience shall be limited to 12 months, unless the county
- 15 welfare department and the recipient agree to extend this period
- 16 by an amendment to the welfare-to-work plan. The county welfare
- 17 department shall review the work experience assignment as
- 18 appropriate and make revisions as necessary to ensure that it
- 19 continues to be consistent with the participant's plan and effective
- 20 in preparing the participant to attain employment.
- 21 (e) On-the-job training.
- 22 (f) (1) Grant-based on-the-job training, which means public or
- 23 private sector employment or on-the-job training in which the
- 24 recipient's cash grant, or a portion thereof, or the aid grant savings
- 25 resulting from employment, or both, is diverted to the employer
- 26 as a wage subsidy to partially or wholly offset the payment of
- 27 wages to the participant, so long as the total amount diverted does
- 28 not exceed the family's maximum aid payment. A county shall
- 29 not assign a participant to grant-based on-the-job training unless
- 30 and until the participant has voluntarily agreed to participate in
- 31 grant-based on-the-job training by executing a voluntary consent
- 32 form, which shall be developed by the department.

1 (2) Grant-based on-the-job training shall include community
2 service positions pursuant to Section 11322.9.

3 (3) Any portion of a wage from employment that is funded by
4 the diversion of a recipient's cash grant, or the grant savings from
5 employment pursuant to this subdivision, or both, shall not be
6 exempt under Section 11451.5 from the calculation of the income
7 of the family for purposes of subdivision (a) of Section 11450.

8 (g) Supported work or transitional employment, which means
9 forms of grant-based on-the-job training in which the recipient's
10 cash grant, or a portion thereof, or the aid grant savings from
11 employment, is diverted to an intermediary service provider, to
12 partially or wholly offset the payment of wages to the participant.

13 (h) Workstudy.

14 (i) Self-employment.

15 (j) Community service.

16 (k) Adult basic education, which shall include reading, writing,
17 arithmetic, high school proficiency, or general educational
18 development certificate of instruction, and
19 English-as-a-second-language. Participants under this subdivision
20 shall be referred to appropriate service providers that include, but
21 are not limited to, educational programs operated by school districts
22 or county offices of education that have contracted with the
23 Superintendent of Public Instruction to provide services to
24 participants pursuant to Section 33117.5 of the Education Code.

25 (l) Job skills training directly related to employment.

26 (m) Vocational education and training, including, but not limited
27 to, college and community college education, adult education,
28 regional occupational centers, and regional occupational programs.

29 (n) Job search and job readiness assistance, which means
30 providing the recipient with training to learn job seeking and
31 interviewing skills, to understand employer expectations, and learn
32 skills designed to enhance an individual's capacity to move toward
33 self-sufficiency, including financial management education.

34 (o) Education directly related to employment.

35 (p) Satisfactory progress in secondary school or in a course of
36 study leading to a certificate of general educational development,
37 in the case of a recipient who has not completed secondary school
38 or received such a certificate.

39 (q) Mental health, substance abuse, and domestic violence
40 services, described in Sections 11325.7 and 11325.8, and Article

1 7.5 (commencing with Section 11495), that are necessary to obtain
2 and retain employment.

3 (r) *Study time related to credit or noncredit hours spent in*
4 *classroom, laboratory, or other educational activities pursuant to*
5 *subdivisions (k), (l), (m), (o), or (p).*

6 ~~(r)~~

7 (s) Other activities necessary to assist an individual in obtaining
8 unsubsidized employment.

9 Assignment to an educational activity identified in subdivisions
10 (k), (m), (o), and (p) is limited to those situations in which the
11 education is needed to become employed.

12 SEC. 2. Section 11322.8 of the Welfare and Institutions Code
13 is amended to read:

14 11322.8. (a) Unless otherwise exempt, an adult recipient in a
15 one-parent assistance unit shall participate in welfare-to-work
16 activities for 32 hours each week.

17 (b) Unless otherwise exempt, an adult recipient who is an
18 unemployed parent, as defined in Section 11201, shall participate
19 in at least 35 hours of welfare-to-work activities each week.
20 However, both parents in a two-parent assistance unit may
21 contribute to the 35 hours if at least one parent meets the federal
22 one-parent work requirement applicable on January 1, 1998.

23 (c) An adult recipient required to participate under subdivision
24 (a) or (b) shall participate for at least 20 hours each week in core
25 welfare-to-work activities. The welfare-to-work activities listed
26 in subdivisions (a) to (j), inclusive, and (m) and (n) of Section
27 11322.6, are core activities for the purposes of this section. *Study*
28 *time pursuant to subdivision (r) of Section 11322.6 is a core activity*
29 *if related to participation in vocational education and training*
30 *pursuant to subdivision (m) of Section 11322.6 as a core activity.*

31 Participation in core activities under subdivision (m) of Section
32 11322.6 shall be limited to a total of 12 months. Additional hours
33 that the applicant or recipient is required to participate under
34 subdivisions (a) or (b) of this section may be satisfied by any of
35 the welfare-to-work activities described in Section 11322.6 that
36 are consistent with the assessment performed in accordance with
37 Section 11325.4, and included in the individual's welfare-to-work
38 plan, described in Section 11325.21.

39 (d) Hours spent in activities listed under subdivision (q) of
40 Section 11322.6 shall count toward the core activity requirement

1 in subdivision (c) to the extent that these activities are necessary
2 to enable the individual to participate in core activities and to the
3 extent these activities cannot be accomplished within the additional
4 noncore hours of participation required by subdivision (c).

5 (e) Hours spent in classroom, laboratory, or internship activities
6 pursuant to subdivisions (k), (l), (o), ~~and~~ (p), *and* (r) of Section
7 11322.6 shall count toward the core activity requirement in
8 subdivision (c) to the extent these activities cannot be accomplished
9 within the additional noncore hours of participation, the county
10 determines the program is likely to lead to self-supporting
11 employment, and the recipient makes satisfactory progress. The
12 provisions in paragraph (2), and subparagraphs (A) and (B) of
13 paragraph (3), of subdivision (a) of Section 11325.23 shall apply
14 to participants in these activities.

15 (f) Spending hours in any or all of the activities specified in
16 subdivision ~~(r)~~ (s) of Section 11322.6 shall not make a recipient
17 ineligible to count activities set forth in subdivisions (d) and (e)
18 toward the core activities requirements, as appropriate.